

STUDENTS**Student Scholastic Records****A. Management of Student's Scholastic Records**

Accurate and complete individual, permanent, and cumulative records shall be maintained for each student, K-12, enrolled in the Stafford County School System. The content of the scholastic record shall be limited to data needed by the school to assist the student in his/her personal, social, educational, and future occupational placement.

The regulations set forth in this document are relative to collection of data about students and the legal and ethical maintenance and use of such information. The regulations (1) specify the types of student data to be collected and recorded; (2) establish responsibilities for collection of data and maintenance and security of records; (3) identify individuals who have a legal right of access; (4) identify individuals and agencies to whom data from student records will be released upon request, the types of data to be released to each, and the circumstances for such releases; (5) identify how student records may be amended and/or destroyed.

B. Requests for Student Record Information

Upon request, parents and eligible students are to be provided with a list of the types and locations of scholastic records collected, maintained, or used by the school division. Also upon request, parents and eligible students have a right to obtain a copy of the school system's written policy and procedure on the management of the scholastic records.

C. Responsibility for Student Records

1. All scholastic records should be filed in a central location accessible to professional personnel within the school. The principal of the school and/or his/her designee(s) shall be responsible for the collection of data, record maintenance and security, access to records, dissemination of information from records, and content of the scholastic record. The principal shall provide for the periodic evaluation of the records by professional personnel and the removal of data no longer pertinent. This must be accomplished at the last year the student is in the elementary school, the last year the student is in the middle/high school, and grade 12 but may be done more frequently at the discretion of the principal. The principal with the assistance of appropriate staff

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2. members, shall establish and use necessary procedures for implementing this policy and all regulations relative to student records.
3. All schools shall maintain for public inspection a current listing of positions of employees within the school division and appropriate community agencies who have access to personally identifiable data in student records.
4. School personnel/officials who have access to a scholastic record include the principal or his/her designee(s), assistant principals, counselors, adult clerical personnel, charged with the responsibility of record maintenance, those who have direct instructional responsibilities for the student, and those professionals determined by the school division to have legitimate educational interests in the student(s). "Legitimate educational interest" refers to anyone who has a role in planning, observing, implementing, evaluating and/or supervising a student's educational program.

D. Access to Student Records

Parents or eligible students shall be permitted to inspect and review scholastic records relating to the student which are collected, maintained or used by the school division. The school division shall comply with a request without delay and in no case more than fifteen days after the date of the request. If the school division determines that it is practically impossible to provide the requested records or to determine whether they are available within the fifteen days, the school division shall inform the requesting party and shall have an additional seven administrative working days to provide the requested records.

The school division shall comply with a request to inspect and review scholastic records before any meeting regarding an individualized education program or hearing relating to the identification, evaluation, or educational placement of the student or provision of a free appropriate public education. The right to inspect and review scholastic records includes:

1. The right to a response from the school division to reasonable requests for explanation and interpretations of the scholastic records;

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2. The right to request that the school division provide copies of the scholastic records containing the information, if failure to provide the copies would effectively prevent the parent from exercising the right to inspect and review the scholastic records; and,
3. The right to have a representative of the parent inspect and review the scholastic records.

The principal or his/her designee may presume that both parents have the authority to inspect and review records relating to the student unless the school division has been provided with evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.

The school division shall keep a record of parties obtaining access to scholastic records collected, maintained, or used.

All personnel within the school who have access to the student's file other than the principal, assistant principals, counselors, adult clerical personnel charged with the responsibility of record maintenance, and those who have direct instructional responsibilities for the student will date and sign the student's folder.

If any scholastic record includes information on more than one student, the parents of those students shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

When requested, the school division shall provide parents or eligible student with a list of the types and locations of scholastic records collected, maintained, or used by the schools.

E. Disclosure:

When a request for disclosure of scholastic record data is made, such a request shall be granted promptly, if practicable, but in no case more than five administrative working days after the date of the request. If it is practically impossible to provide the requested records or to determine whether they are available within the five administrative working days, the school division shall inform the requesting party and shall have

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an additional seven administrative working days to provide the requested records.

Appropriate school personnel may disclose, upon student transfer, information from scholastic records to another school system without parental consent, unless prohibited by other applicable law.

Each school shall keep permanently with the student's cumulative and confidential files a RECORD DATA DISCLOSURE FORM as explained in the State Department of Education document, "Guidelines for the Management of the Student's Scholastic Record in Virginia Public Schools of Virginia (Revised 1998)" (See page 9 et seq).

A general list of eligible parties to whom disclosure of Record Data may be made, is as follows:

PARTIES

1. Accrediting organization(s)
2. Adult clerical personnel
3. Eligible student who is subject of record
4. Emergency (appropriate person)
5. Financial aid
6. Governmental and Education Auditors, Evaluators and Researchers
7. Officer, United States
8. Officials, Authorities—State and Local
9. Organizations, Agencies Conducting Studies
10. Parent
11. Parents of Dependent Student as defined under section 152 of the Internal Revenue Code
12. Principal/Designee of school student plans to attend and/or appropriate official of post-secondary institution student plans to attend
13. Professional personnel within school or school division
14. State Superintendent of Public Instruction and members of his/her staff

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15. Student (under eighteen) who is subject of record, -- with certain limitations
16. Others (Refer to "Guidelines for Management of the Student's Scholastic Record in Virginia Public Schools", Revised 1998

Parties, 1-16, set forth above are defined in detail in the "Guidelines for the Management of the Student's Scholastic Record in Virginia Public Schools (Revised, 1998)."

Personal information from student records shall be transferred to a third party upon the condition that such party will not permit any other party to have access to such information without the written consent of the parent/legal guardian of student (if 18 years of age). Such disclosure should be accompanied by a written statement explaining the above-stated condition.

Whenever a student has attained the age of 18, or is attending an institution of post-secondary education, the permission or consent required of and the rights accorded to parents of the student shall thereafter only be required of and accorded to the student.

F. Amendment of the Student's Scholastic Record:

Parents or eligible students who believe that information in the scholastic record of the student is inaccurate or misleading or violates the privacy or other rights of the student may request the school division to amend the record, regardless of when the information was entered in the record. The procedures shall include the following alternatives:

1. Amendment of the record, within a reasonable period of time (no more than 15 administrative working days after the receipt of the request).
2. Informal attempts to reconcile differences; however, the requester may exercise the right to a hearing without benefit of the decision from any informal proceeding. If the school division agrees to amend, then the amendment shall be in writing, inserted in the student's scholastic record, and maintained in accordance with maintenance and disposition.
3. If the school denies the request for amendment, the requester shall be so informed within 15

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administrative days and advised of the right to a hearing.

4. The school division shall, on written request, provide an opportunity for a hearing to enable the parent or eligible student to challenge information in the scholastic record to insure that it is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student.
5. If, as a result of the hearing, the school division decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall amend the scholastic record of the student accordingly and so inform the parent or eligible student in writing.
6. If, as a result of the hearing, the school division decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place in the scholastic record of the student a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the school system.
7. Any such explanation placed in the scholastic record of the student shall:
 - a. Be maintained by the school as part of the scholastic record of the student as long as the record or contested portion thereof is maintained; and
 - b. Be disclosed by the school when the scholastic record of the student or the contested portion thereof is disclosed to any party.
8. A hearing shall be conducted according to the procedures as follows:
 - a. The hearing shall be held within 45 calendar days after the school division receives written request. The parent or the eligible student shall be given written notice by the school division of the date, place, and time of the hearing.

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b. The requester shall have a right to a hearing before the Superintendent of Schools or designee.

c. The parent or the eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues and to question the person(s) who have entered the information provided that such person is an employee of the division.

d. The school division shall make its decision in writing.

e. The decision of the school division shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

f. The evidence shall become a permanent part of the student's scholastic record.

G. Destruction

Those regulations promulgated by the Library of Virginia shall be adhered to for the retention and destruction of student records. Reasonable effort to notify parents or eligible students shall be made by the school division when:

1. Personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the student.
2. Personally identifiable information concerning a student with a disability is destroyed, in full, by the Special Education Office staff at the end of five years after a student graduates from high school, or completes a program adopted by the Board of Education or leaves school.
3. When informing parents or eligible student about their rights in this regard, the school division should inform the parent or eligible student that the scholastic records may be required by the student or the parents to apply for and/or obtain social security benefits or to further other purposes. If the parents or eligible student request that the information be destroyed, then the school division shall retain only that information required under state law and regulations.

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4. Prior to destruction of data, a reasonable effort shall be made by the school division to notify parents or the eligible student that they have a right to be provided with a copy of data. Notifications may be issued through notices in local newspapers.

H. Definitions

Words and terms used throughout this document are defined in the same manner as defined in the Guidelines for the Management of the Student's Scholastic Record in Virginia Public Schools, Revised 1998.

I. STAFFORD COUNTY SUPPLEMENTAL REGULATIONS TO STATE POLICY

1. As Standardized tests are given as required by the State Board of Education, permission is not required from parents or guardians for students to participate.
2. Subjective information which is a part of the student's record will be removed from the file at the time of withdrawal of the student from school.
3. Information should be dated as it is collected, thus enabling those receiving the record to adjust their thinking as to the importance of the information in relation to the age of the individual.
4. A transcript of grades marked "unofficial" may be given to the student. Transcripts signed by a designated official of the school (the principal or his/her representative) which are forwarded to colleges or other agencies as requested by the parent or the student are considered "official."
5. Information transferred from one school to another within the division shall include only identifying data, attendance and academic records, group test scores, cumulative health/physical fitness record, thus eliminating all subjective material. In the case of a transfer student, the sending school will either mail the records to the receiving school or physically deliver, by way of a member of the professional staff

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of their school, the record or records, or utilize the internal mail courier service of the school division. This information may be exchanged within the school division without permission forms.

Transfer outside of Stafford County Public Schools: A written notice must be sent to the parent or student if 18 years old or older within 5 days of transferring the record to another school division.

6. Parent Notification - Parents or eligible students (18 years of age) are to be notified annually of their right to:

- Inspect and review student education records;
- Request amendment of the student's education records;
- The right of parents and eligible students to challenge the content of scholastic records and to file with the FERPA Office a complaint concerning an alleged failure by the LEA to comply with 20 USC 1232g;
- Consent to disclosures of personally identifiable information.

7. A Stafford Administrative Team will audit selected schools to ensure that records are maintained in compliance with the "Guidelines for the Management of Student's Scholastic Records in Virginia Public Schools."

8. In addition to Student Scholastic Records, which must be maintained indefinitely, the Principal's Term Report must be maintained indefinitely, as well. The Teacher's Register must be maintained ten years, exclusive of the current school year.

9. Transfer of Special Education Documents
- a. The records of Special Education students with disabilities, who transfer from one Stafford County Public School to another within the division, may be sent directly to the school.
 - b. The records of students with disabilities, who transfer to another school, may be sent from the school. This may occur without parent permission.

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10. Reports generated by agencies other than Stafford County Public Schools which are part of the student's confidential record are not be released by the school division unless otherwise authorized by law or state regulation. Release must be made by the generating agency.
11. The school may charge a fee for copies of the scholastic record(s) at reasonable cost, not to exceed the cost of reproduction. Such fee shall not effectively prevent the parents, or their designee, from exercising their right to inspect and review the records. NO FEE MAY BE CHARGED FOR A COPY OF THE INDIVIDUALIZED EDUCATION PROGRAM. NO FEE MAY BE CHARGED FOR SEARCH AND RETRIEVAL.
12. Local agencies, public and private, cooperating with the school division in the student's educational development, are consistent with applicable legal requirements, to be "informed of policy and procedures related to the management of scholastic records."
13. Security - Records are required to be in a central location in each school and must be secured daily with the exception of Health Cards which are kept with the nurse, Record of Counseling Interview forms which may be kept in the counselor's office, Physical Fitness Forms, which are kept in the care of the Health and PE Department, reading and math portfolio forms, which are kept with the teachers, and/or other records as indicated on the Records Location Indication Form in the student's scholastic record.
14. The school principal, or his/her designee, should keep all school personnel informed, who are responsible for and/or who use student records, of the regulations set forth by the state and local school division regarding the management of student's scholastic record.

J. Directory Information

Parents and eligible students are to be given annual written and public notice of their rights in reference to Directory Information.

1. Student Directory Information is defined to include a student's name, address, telephone number, date and place

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of birth, major field of study, height and weight, (if member of athletic team), participation in officially recognized activities and sports, dates of attendance, honors, awards and information generally found in school yearbooks.

Release of Directory Information: Directory information may be released provided a public notification is included in the annual FERPA notice. A parent is to inform the school division in writing within 15 calendar days of notice being given if directory information is not to be released concerning their child.

K. Directory Information to be Provided to Military Recruiters

Upon request of a military recruiter, three directory information categories - names, addresses, and telephone listings - shall be provided to said recruiter except for those students whose parents have advised the school division that they do not want their child's directory information disclosed without prior written consent.

Approved by Superintendent: March 10, 1992

Revised by Superintendent: July 21, 1993

Revised by Superintendent: October 14, 2003